

WEST FERTILIZER PLANT EXPLOSION, WEST, TX

QUESTION: What role does EPA have in response to the explosion at the West Fertilizer plant?

ANSWER:

- Immediately following the incident, at the request of the State of Texas, and in coordination with FEMA and other federal agencies, EPA Region 6 deployed response personnel to the facility. As part of the emergency response, EPA performed air monitoring in residential areas around the site, including areas where search and rescue operations were ongoing and in areas not affected by the evacuation order. Chemicals being monitored for were volatile organic compounds, hydrogen sulfide, ammonia, carbon monoxide, and the lower explosive limit of methane gas. Monitoring results did not exceed actionable levels.
- The National Response Team of ATF, along with the special agents from the criminal enforcement program of EPA, are on scene to investigate. Once the ATF completes its investigation, the Regional Risk Management Program (RMP) inspectors will visit the facility to conduct further investigations in coordination with other federal agencies. We will evaluate all available records and interview transcripts with regard to the Clean Air Act (CAA) Section 112(r) program.

BACKGROUND:

- On April 17, 2013, a large explosion occurred at the West Fertilizer facility. The cause of the explosion has not yet been determined.
- The West Fertilizer facility is regulated under the following:
 - Risk Management Program (RMP) - The facility is subject to the RMP regulations because the quantity of anhydrous ammonia on-site exceeds 10,000 lbs. EPA Region 6 conducts inspections to assure compliance with RMP requirements.
 - [Emergency Planning and Community Right-to-Know Act \(EPCRA\)](#). The facility is subject to EPCRA sections 311 & 312 (annual chemical inventory reporting requirement). The facility submitted a Tier II report to TCEQ which identified a maximum daily amount of 54,000 lbs of ammonia (anhydrous), and 540,000 lbs of ammonium nitrate, which can be used both as a fertilizer and explosive.
 - Federal Insecticide, Fungicide and Rodenticide Act (FIFRA). The facility is registered with the EPA as a Pesticide Producer Establishment. They are required to file a yearly report with EPA. The report is classified as Confidential Business Information (CBI) and accessible only by authorized personnel.
- EPA conducted an RMP inspection at the West Fertilizer facility on March 16, 2006. At that time, inspectors identified deficiencies including: failure to update its RMP in a timely manner; failure to document that hazards identified in the hazard review had been addressed; operating procedures failed to address consequences of deviation; poor employee training records; and the company had not developed a formal written maintenance program. The facility was fined \$2,300 by EPA in 2006 and the company certified they corrected the deficiencies at that time. The company submitted its 5-year update RMP on June 30, 2011.

The next update is due on June 20, 2016. The RMP inspection did not evaluate the facility's storage of ammonium nitrate, as that chemical is not covered under RMP regulations.